



FORM PTO-1449	SERIAL NO. 10/047,710	CASE NO. 11472/3
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE January 15 th , 2002	GROUP ART UNIT
(use several sheets if necessary)	APPLICANT(S): Das Gupta et al.	

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	U.S. 5789389	Aug 4, 1998	Tarasewicz	Mar 17, 1995

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	B2	A. W. Confer and Janet A. Durham, Am. J. Res., vol. 53, no. 5, pp 646-52 (1992)
	B3	T. Wu <i>et al.</i> , Antimicrobial Agents and Chemotherapy, vol. 44, no. 5, pp 1200-08 (May 2000)
	B4	PCT International Application No. PCT/US02/01408 – International Search Report
	B5	M. Kukimoto <i>et al.</i> , FEBS Letters, 394, pp 87-90 (1996)
	B6	F. Cutruzzola <i>et al.</i> , J. Inorganic Chemistry, 88, pp 353-61 (2002)
	B7	L. M. Murphy <i>et al.</i> , J. Mol. Biol., 315, pp 859-71 (2002)
	B8	V Punj & A. M. Chakrabarty, Cellular Microbiology, 5(4), pp 225-31 (2003)
	B9	T Yamada <i>et al.</i> , PNAS, Vol. 99, no. 22, pp 14098-103 (2002)
	B10	T. Yamada <i>et al.</i> , Infection & Immunity, vol. 70, no. 12, pp 7054-62 (2002)
	B11	M. Goto <i>et al.</i> , Mol. Bio., 47(2), pp 549-559 (2003)
	B12	V. Punj <i>et al.</i> , Biochemical and Biophysical Research Communications, vol. 312, pp. 109-14 (2003)
	B13	Vasu Punj <i>et al.</i> , Oncogene 2003 – Proof copy

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



hereby certify that this correspondence is being deposited
with the United States Postal Service, with sufficient
postage, as first class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

on January 21, 2004

Date of Deposit

John Murray

Name of applicant, assignee or
Registered Representative

John Murray

Signature

January 21, 2004

Date of Signature

Our Case No. 11472/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tapas K Das Gupta *et al.*

Serial No.: 10/047,710

Filing Date: January 15th, 2002

For: Cytotoxic Factors For Modulating
Cell Death

Examiner: Not assigned

Group Art Unit No.: Not Assigned

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

COMMISSIONER FOR PATENTS
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully
requested that this First Supplemental Information Disclosure Statement be entered and
the documents listed on the attached Form PTO-1449 be considered by the Examiner
and made of record.

In accordance with 37 C.F.R. § 1.97(g),(h), this First Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This First Supplemental Information Disclosure Statement is believed to be filed before the mailing of the first Office Action on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

This application claims benefit of provisional application U.S. Ser. No. 60/269,133, filed Feb. 15th, 2001. This prior application is relied upon for an earlier filing dated under 35 U.S.C. § 119. In accordance with Rule 37 C.F.R. § 1.98(d) copies of the following documents cited are enclosed:

U.S. 5789389 Tarasewicz

A. W. Confer and Janet A. Durham, Am. J. Res., vol. 53, no. 5, pp 646-52 (1992)

T. Wu *et al.*, Antimicrobial Agents and Chemotherapy, vol. 44, no. 5, pp 1200-08 (May 2000)

PCT International Application No. PCT/US02/01408 – International Search Report

M. Kukimoto *et al.*, FEBS Letters, 394, pp 87-90 (1996)

F. Cutruzzola *et al.*, J. Inorganic Chemistry, 88, pp 353-61 (2002)

L. M. Murphy *et al.*, J. Mol. Biol., 315, pp 859-71 (2002)

V Punj & A. M. Chakrabarty, Cellular Microbiology, 5(4), pp 225-31 (2003)

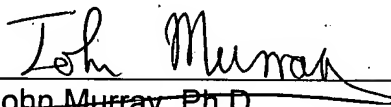
T Yamada *et al.*, PNAS, Vol. 99, no. 22, pp 14098-103 (2002)

T. Yamada et al., Infection & Immunity, vol. 70, no. 12, pp 7054-62 (2002)
M. Goto et al., Mol. Bio., 47(2), pp 549-559 (2003)
V. Punj et al., Biochemical and Biophysical Research Communications, vol.
312, pp. 109-14 (2003)
Vasu Punj et al., Oncogene 2003 – Proof copy

If, for any reason, the Examiner feels that an interview would be helpful to
resolve any issues, he is respectfully requested to contact the undersigned attorney at
(312) 321-4229.

Respectfully submitted,

Date: January 21, 2004



John Murray, Ph.D.
Registration No. 44,251
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200

Image

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TRANSMITTAL LETTER			Case No. 11472/3
Serial No. 10/047,710	Filing Date January 15, 2002	Examiner not assigned	Group Art Unit not assigned
Inventor(s) Tapas K. Das Gupta et al.			
Title of Invention Cytotoxic Factors For Modulating Cell Death			



TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is First Supplemental Information Disclosure Statement, PTO Form 1449 with references and return postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 43 =	
+ \$145 =	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$86 =	
+ \$290 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

John Murray, Ph.D.
Registration No. 44,251
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 21, 2004.

Date

January 21, 2004

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